

07-13-08

11/11/08 DAC
CASE DV/4-32408A



FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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Express Mail Label Number

July 17, 2008

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1614

AUSBORN ET AL.

Examiner: Yebassa, Desta Letta

APPLICATION NO: 10/506,822

FILED: SEPTEMBER 7, 2004

FOR: PHARMACEUTICAL MICROPARTICLES

MS: Petition

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

PETITION TO REVIVE UNDER 37 C.F.R. §1.137(b)

Sir:

Applicants hereby petition for the above-identified application to be revived under the provisions of 37 C.F.R. §1.137(b). The abandonment of the application was unintentional.

(1) In response to the Office action dated December 20, 2007, Applicants file a continuation of the above-identified application in accordance with 37 C.F.R. §1.137(c).

(2) In accordance with 37 C.F.R. §1.137(b)(2), the Commissioner is hereby authorized to charge the fee of \$1540.00 required under 37 C.F.R. §1.17(m), and any other required fee, to Deposit Account No. 19-0134 in the name of Novartis. A duplicate of this petition is enclosed for fee purposes.

(3) Applicants assert that the entire delay in filing the required reply from the due date for the reply to the filing of this petition was unintentional. This petition was promptly filed after the undersigned became aware of the need to do so in order to revive the application.

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(4) No terminal disclaimer is required with this petition in accordance with 37 C.F.R. §1.137(d) because the application was filed after June 8, 1995.

Novartis Pharmaceuticals Corp.
Patents Pharma
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-1202

Date: *July 17, 2008*

Respectfully submitted,

Jennifer C. Chapman
Jennifer C. Chapman
Attorney for Applicants
Reg. No. 47,487



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